

RAFAEL A. JONES SR., )  
)  
Plaintiff, )  
)  
v. ) No. 4:10CV01079 AGF  
)  
EDWARD SWEENEY, et al., )  
)  
Defendants. )

This matter is before the Court on plaintiff's motion to proceed in forma pauperis. Plaintiff, a prisoner, has filed at least three previous cases that were dismissed as frivolous, malicious, or for failure to state a claim.<sup>1</sup> Under 28 U.S.C. § 1915(g), therefore, the Court may not grant the motion unless plaintiff "is under imminent danger of serious physical injury."

Accordingly,

<sup>1</sup>See Jones v. Brayer, Case No. 4:07-CV-1704 RWS (E.D. Mo.); Jones v. Brayer, Case No. 4:07-CV-1723 ERW (E.D. Mo.); Jones v. Isom, Case No. 4:08-CV-1584 TIA (E.D. Mo.).

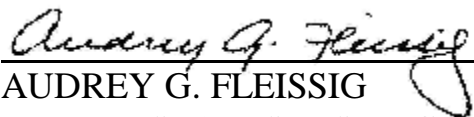
**IT IS HEREBY ORDERED** that plaintiff's motion to proceed in forma pauperis is **DENIED**.

**IT IS FURTHER ORDERED** that this action is **DISMISSED**, without prejudice, pursuant to 28 U.S.C. § 1915(g).

**IT IS FURTHER ORDERED** that plaintiff's motion to retrieve evidence is **DENIED**.

An Order of Dismissal shall accompany this Memorandum and Order.

Dated this 23rd day of June, 2010.

  
\_\_\_\_\_  
AUDREY G. FLEISSIG  
UNITED STATES DISTRICT JUDGE